

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION
IN ADMIRALTY

In the matter of the Complaint of) Civil Action No.: 2:18-cv-02396-DCN
MORAN ENVIRONMENTAL)
RECOVERY, LLC, as the owner of)
the vessel "Miss June" and her)
engines, tackle, appurtenances, etc.)
For exoneration from, or limitation of,)
liability.)

)

**ORDER DIRECTING MONITION TO
ISSUE, PUBLIC NOTICE AND
RESTRAINING ALL SUITS**

It appearing that a Complaint has been filed in the above-captioned court by Plaintiff-in-Limitation Moran Environmental Recovery, LLC (hereinafter "PLAINTIFF-IN-LIMITATION"), as the owner of that certain vessel "MISS JUNE", and her engines, tackle, appurtenances, etc. ("Vessel"), for exoneration from, or limitation of, liability pursuant to the Limitation of Liability Act, 46 U.S.C. § 30501, *et seq.*, with respect to any and all losses, damages or claims, arising out of, resulting from, or in any manner connected with, the matters set forth in the Complaint, and the Complaint having stated the facts and circumstances upon which exoneration or limitation are claimed, and it appearing that the value of PLAINTIFF-IN-LIMITATION's interest in the Vessel immediately following the incident was worth, at a maximum, Fourteen Thousand Four Hundred Dollars (\$14,400.00), and it further appearing that PLAINTIFF-IN-LIMITATION has filed a Stipulation for Value and Costs and Letter of Undertaking, and it further appearing that claims have been made, or will be made, against PLAINTIFF-IN-LIMITATION or the Vessel, for losses or damages arising out of, or in some manner connected with, the matters set forth in the Complaint;

NOW, THEREFORE, on application of PLAINTIFF-IN-LIMITATION:

IT IS ORDERED that the institution or prosecution of any and all suits, actions or legal proceedings of any nature and description whatsoever, against PLAINTIFF-IN-LIMITATION or the Vessel, whether presently ongoing, filed but unknown, or to be filed in the future, except in this proceeding, with respect to any claims for injuries or damages arising out of, resulting from, or in any manner connected with, that which the Complaint in this action seeks exoneration from, or limitation of, liability be, and the same hereby are, stayed and restrained until the hearing and final determination of this proceeding;

IT IS FURTHER ORDERED that a Monition/Notice of Complaint issue out of and under the seal of this Court to all persons and entities asserting any claim with respect to that which the Complaint in this action seeks exoneration from, or limitation of, liability admonishing them to file their respective claims with the Clerk of this Court at the United States Courthouse, in writing and under oath, and to serve a copy thereof on the attorneys for PLAINTIFF-IN-LIMITATION, on or before the 16th day of October, 2018, or be deemed in contumacy and default;

IT IS FURTHER ORDERED that PLAINTIFF-IN-LIMITATION shall notify and admonish all persons asserting claims with respect to that which the Complaint herein seeks exoneration from, or limitation of, liability to appear and answer the allegations of the Complaint, and to file their claims, with the Clerk of the Court, on or before the 16th day of October, 2018, or be deemed in contumacy and default;

IT IS FURTHER ORDERED that public notice of the Monition/Notice of Complaint be published, by PLAINTIFF-IN-LIMITATION, in The Post and Courier, a newspaper of general circulation printed and published in Charleston, South Carolina; once in each week for four (4) successive weeks prior to the date hereinabove fixed for the filing of claims;

IT IS FURTHER ORDERED that PLAINTIFF-IN-LIMITATION, not later than the date of the second publication, shall mail a copy of the Monition/Notice of Complaint to every person and entity known to have asserted any claim against PLAINTIFF-IN-LIMITATION or the Vessel, arising out of, resulting from, or in any manner connected with, that which the Complaint in this action seeks exoneration from, or limitation of, liability, and in those cases where the person or entity making the claim is known to have an attorney, the Monition/Notice of Complaint shall be mailed to such attorney, and in cases involving death, the Monition/Notice of Complaint shall be mailed to decedent's last known address;

IT IS FURTHER ORDERED that the publication and mailing of the Monition/Notice of Complaint described herein shall constitute due notice to all persons asserting claims arising out of or in any way relating to that which the Complaint herein seeks exoneration from, or limitation of, liability; AND

IT IS FURTHER ORDERED that service of this Order as a restraining order may be had by mailing a certified copy of this Order to the persons to be restrained, or their attorneys acting on their behalf.

IT IS SO ORDERED, this 30th day of August, at Charleston, South Carolina.



DAVID C. NORTON
UNITED STATES DISTRICT JUDGE